

**From:** [Foster, Anne](#)  
**To:** [Miller, Garyg](#)  
**Cc:** [Sanchez, Carlos](#)  
**Subject:** RE: Gulfco CD and PRN  
**Date:** Wednesday, September 18, 2013 11:45:18 AM

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Two things to consider: Your costs will be a little higher, I imagine, for the first year when they are repairing the cap and setting up the monitoring plan.

And, while we will be billing the PRPs for oversight, there is a long time lag between billing and reimbursement, so if we get a nice lump sum for past costs, we can make sure we are covered and never have to deplete the Fund again. (Note – they also seem like the kind of PRPs that might bicker about the bill).

Would \$500,000 in the special account to start, considering replenishment from future oversight billings at some later point, be crazy high?

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**From:** Miller, Garyg  
**Sent:** Wednesday, September 18, 2013 10:50 AM  
**To:** Foster, Anne  
**Cc:** Sanchez, Carlos  
**Subject:** RE: Gulfco CD and PRN

Anne,

On the costs, let's say \$6,000/yr for oversight; \$1000/yr for one site trip per year, and a five-year review @ \$40,000. So, a five year period, including a 20% contingency, would total \$90,000. How long do we make these things? Ten years would be \$180,000, or 30 years would be \$540,000.

Let me know if you have any questions on this.

Regards,

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**From:** Foster, Anne  
**Sent:** Monday, September 16, 2013 2:05 PM  
**To:** Miller, Garyg  
**Subject:** Gulfco CD and PRN

Attached is the draft CD; it is the model CD in word, marked up to be site specific. Before I send it to DOJ, I will correct the paragraph references.

Based on the version you sent me, I think you left off at “Reporting Requirements” in your prior review.

Please estimate the amount of future costs EPA should put in a special account – these should include your oversight and the costs of the five-year reviews, and a conservative cushion in the event of a problem or problems. We will probably apply some of the reimbursed past costs to fund the special account.

If you have or can find a copy of the notices to the state and natural resource trustee giving them an opportunity to participate in CD negotiations (you thought we’d already sent them out), we need those.

And, there are currently two levels of stipulated penalties (some for higher amounts, some lower) – other than the initial work plan and the ICIAP, and maybe the completion of cap repairs, are there any other deliverables we would want to assess higher amounts for?

We’ve got to finish the AR before the PRN goes up.

Finally, I remember what I was going to ask – in the work section, I added the submission of the ICIAP as a deliverable specified in the CD. I would feel more comfortable, especially given the limited amount of work, if we outlined the major deliverables in the CD, even if it is repetitive.

I will be finishing the PRN and special notice letter. THANKS!